

Exhibit Q

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ROADSYNC, INC.,

Plaintiff,

v.

Case No. 1:21-CV-03420-MLB

RELAY PAYMENTS, INC.,
SPENCER BARKOFF, and
JAMES RYAN DROEGE,

Defendants.

**DEFENDANTS SECOND SET OF INTERROGATORIES
TO ROADSYNC, INC.**

PLEASE TAKE NOTICE that pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants Relay Payments, Inc., Spencer Barkoff, and James Ryan Droege (“Defendants”) hereby serve their second set of interrogatories to Plaintiff Relay Payments, Inc. (“Relay” or “Plaintiff”). Sworn responses to these interrogatories must be served within thirty (30) days of this request. Each of the following interrogatories is subject to the definitions and instructions that follow.

DEFINITIONS AND INSTRUCTIONS

Defendants incorporate by reference the Definitions and Instructions set forth in Defendants’ First Set of Interrogatories to Plaintiff, dated October 14,

2022, as if fully set forth herein. The following additional definitions shall apply to the interrogatories set forth herein:

19. “ESI” means all electronically stored information, including information stored in any folder, drive, database, or other electronic repository or space used, controlled, maintained and/or possessed by RoadSync.

20. “Google Drive” means the file storage and synchronization service developed by Google and used, controlled, maintained, and/or possessed by RoadSync.

21. “RoadSync Custodian Email and ESI” means any electronic mailbox, Google Drive, ESI, emails, communications, or other document generated, stored, used, controlled, maintained and/or possessed in the course of a custodian’s employment for RoadSync.

INTERROGATORIES

INTERROGATORY NO. 13:

Describe in detail and with specificity, including by identifying relevant documents, identifying persons with knowledge, stating all facts, and describing all efforts you took, relating to the preservation or loss of RoadSync Custodian Email and ESI for Eva Goldstein, Amy Zimmerman, Dana Wright, Emily Citarella, Spencer Barkoff, Serge Koval, and Matthew Lisivick during or after their

employment at, or work for, RoadSync. Your response should include the following information:

- Whether each of these individual's RoadSync Custodian Email and ESI can be located or accessed, and if not, why;
- When each of these individual's RoadSync Custodian Email and ESI were deleted, deactivated, lost, or destroyed and what documents or other materials may not be available as a result;
- The efforts you took to locate, access, or recover all or some of each individual's RoadSync Custodian Email and ESI; and
- Following each individual's separation from RoadSync, which employees of RoadSync (such as each of these individual's superiors or successors) would have had access to these individual's RoadSync Custodian Email and ESI.

INTERROGATORY NO. 14:

State all facts, including identification of all documents and knowledgeable persons, which support your contention described in Paragraphs 47-48 of the Complaint, that Ryan Droege and Spencer Barkoff each deleted "work email," emails in their RoadSync email inbox, and business-related emails that contained RoadSync's alleged trade secrets and other alleged confidential and proprietary information relevant to RoadSync's ongoing business endeavors, including where the deleted emails were located, stored, or filed, how many emails were deleted, which deleted emails were recovered, and efforts you took to recover or attempt to recover deleted emails.

INTERROGATORY NO. 15:

Describe, in detail and in narrative form, including by identifying all facts, knowledgeable witnesses, and relevant documents, your discovery of Barkoff and Droege's alleged downloads described in Paragraphs 47-48 of the Complaint, Barkoff and Droege's alleged copying of RoadSync's alleged Trade Secrets and other confidential and proprietary information described in Paragraph 51 of the Complaint, Droege's alleged maintenance of a copy of RoadSync's alleged source code on a laptop described in Paragraph 51 of the Complaint, and your discovery of Droege's alleged retention of the laptop after his termination described in Paragraph 51 of the Complaint. Your response should include the timing and circumstances of such discovery.

INTERROGATORY NO. 16:

Describe, in detail and in narrative form, including by identifying all facts, knowledgeable witnesses, and relevant documents, any reasons that RoadSync elected to sue Defendants on August 20, 2021, instead of at any point in the prior three years following the termination of Defendants Droege and Barkoff.

INTERROGATORY NO. 17:

Describe, in detail and in narrative form, including by identifying all facts, knowledgeable witnesses, and relevant documents, your discovery of the existence

of Relay Payments, Inc. and Defendants Barkoff and Droege's involvement in that company. Your response should include the timing and circumstances of such discovery, the substance of what you learned, and the timing and substance of any actions you took in response.

INTERROGATORY NO. 18:

Describe, in detail and narrative form, including by identifying all facts, knowledgeable witnesses, and relevant documents, all efforts taken by RoadSync to mitigate any damages alleged to have been caused by Defendants.

DATED: June 2, 2023

/s/ Ellyde R. Thompson

Andrew J. Rossman (admitted *pro hac vice*)

Ellyde R. Thompson (admitted *pro hac vice*)

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*Counsel for Defendants Relay Payments,
Inc., Spencer Barkoff, and James Ryan
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CERTIFICATE OF SERVICE

I hereby certify that on this day, the within and foregoing has been forwarded via electronic mail to all counsel of record.

Dated: June 2, 2023

/s/ Elisabeth B. Miller

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